REMARKS

In the office action, the Examiner (1) rejected claims 1-12 and 14-17 under §102(e) as unpatentable over U.S. Patent No. 6,630,934 ("Hoddie"), and (2) rejected claim 13 under §103(a) as unpatentable over Hoddie. In this response, applicant has cancelled claims 1-17 thereby making the rejections moot, and substituted new claims 18-40. Favorable reconsideration of the claims as amended is requested in light of the following remarks.

Hoddie discloses a certain form of presentation data, the hierarchical movie structure, and provides examples in which that structure is used to represent various forms of multimedia content. The focus throughout Hoddie's disclosure is on the form of the presentation data, and on how that data is processed by a playback engine to produce media ouput. Hoddie provides only a small amount of general commentary about how the presentation data is developed ***by an author*** (*see e.g.* Hoddies at Col. 10:1-44), and does not teach or suggest particular sets of actions performed by the author in creating or modifying the presentation data.

In contrast, new independent claims 18, 19, 22, 39, and 40 positively recite particular sets of actions performed ***by an author*** in creating or modifying presentation data. Moreover, in each case the particular sets of actions are neither taught or suggested by Hoddie.

For example, Hoddie does not teach or suggest an author adding pictures into presentation data from a connected camera, as now recited in claims 18 and 39:

> "adding a new picture from a connected camera to the presentation data being displayed in the playback display by performing actions that include initiating a picture capture process for the connected camera and concluding the picture capture process to accept the picture, followed by further action comprising adding the accepted picture to the presentation data by specifying its display position in the playback display."

Likewise, Hoddie does not teach or suggest an author changing the color of a piece of media data, as now recited in claims 19 and 40:

> "adjusting the display color of media data being displayed in the playback display by performing four actions consisting of (1) selecting via a graphical user interface (GUI) a command for adjusting color, (2) selecting a piece of media data displayed in the playback display, (3) moving a pointing device in a two dimensional plane wherein the color hue is mapped to one axis of the plane and the color brightness is mapped to another axis of the plane and the color of the displayed media data changes in real time in response to the movement of the pointing device, and (4) accepting the new display color of the media data."

Also, Hoddie does not teach or suggest an author creating programmed object behavior, as now recited in claim 22:

> "a graphical user interface (GUI) allowing a system user to create the programmed object behavior by performing, in any order, three actions consisting of (1) selecting in the playback display media data corresponding to the first media object, (2) selecting via the GUI a programming function corresponding to the programmed object behavior, and (3) selecting in the playback display media data corresponding to the second media object."

Hoddie provides a variety of examples using the hierarchical movie structure. In each case, the multimedia output which is produced is typical, in the sense that the media output of each media object is presented within a standard, single playback display. The emphasis throughout is not on providing new types of media-viewing experiences for the end-user, but rather on the underlying structure of the presentation data and how that data is processed to produce the media output. All of this is invisible to the end-user viewing the media output, who is unaware of the internal mechanisms which are producing the media being viewed.

By contrast, new independent claim 28 describes a novel experience for an end-user viewing media output: user-initiated navigation ("surfing") which is not based on text links but rather on nested sub-displays. Hoddie does not teach or suggest either nested sub-displays or user-initiated navigation, and does not contemplate their combined use in a media transition of the following form, as recited in claim 28:

> "a destination container object which is directly contained within the master container object, and which is associated with a nested sub-display shown within the playback display, and which contains at least two media objects which are playing and whose media data is displayed within the sub-display; and
>
> user-initiated navigation through the hierarchical object space comprising a preemption of playback for the playing objects contained in the master container object which are not contained within the destination container object, and further comprising a transition whereby the nested sub-display is no longer displayed in the playback display and the media data previously displayed in the nested sub-display becomes displayed in the playback display overall."

All of the displays disclosed by Hoddie are playback displays, i.e., displays which display media output from presentation data, such as onscreen images or video. In some examples this displayed media output is interactive, meaning that the end user can affect the playback state of the presentation data by interacting with the displayed media output (*see e.g.* Hoddie at Col. 10:65 – Col. 12:39). By contrast, new claim 35 involves one or more control displays, which are auxiliary displays

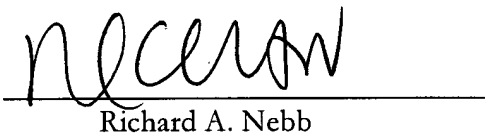
that do not display media output from presentation data, but rather display representations of media objects to aid the author in developing the presentation data. Hoddie does not disclose any control displays, and does teach or suggest a control display that provides playback indication as recited in claim 35:

> "at least one control display presenting representations of two or more media objects, wherein the at least one control display provides an indication to the system user of playback of media objects in the playback display, and wherein the indication provided by the control display of media object playback is an object-specific playback indication."

Each of the claim limitations described above is supported by the original specification. For all the foregoing reasons, applicant submits that the claims as amended are patentable over the cited reference, and reconsideration to that end is respectfully solicited. The Examiner is encouraged to telephone the undersigned if additional issues remain.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: June 15, 2005 By: 

Richard A. Nebb
Reg. No. 33,540

Four Embarcadero Center, Suite 1450
San Francisco, CA 94111
(415) 705-6377 tel
(415) 705-6383 fax
rnebb@dergnoah.com